



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : CRIPPS et al. Confirmation No: 1830  
Appl. No. : 10/774,393  
Filed : February 10, 2004  
Title : PHARMACEUTICAL FORMULATION OF FLUTICASONE  
: PROPIONATE  
  
TC/A.U. : 1616  
Examiner : M Haghighatian  
  
Docket No.: : CRIP3001C3/REF  
Customer No: : 23364

**TERMINAL DISCLAIMER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I, Richard E. Fichter, represent that I am the attorney of record for the above-identified application.

Glaxo Group Limited (hereinafter referred to as "Assignee") is the owner of the entire right and title to the above-captioned patent application and the invention and improvements therein disclosed for the United States, by virtue of an assignment from SmithKline Beecham Corporation dated June 11, 2006, and filed for recordation on December 27, 2006, copy attached. The Assignee is also the owner of the entire right and title to U.S. Patent No. 6,479,035 issued on November 12, 2002 and U.S. Patent No. 6,630,129 issued on October 7, 2003, and USSN 10/630,655 by virtue of the same assignment from SmithKline Beecham Corporation. The present application and the '035 and '129 patents and '655 application are based on the same initial filing in the United States.

The terminal part of any patent granted on the above-captioned application which would extend beyond the expiration date of the full statutory term of U.S. Patent Nos. 6,479,035 and 6,630,129 and any patent issuing on the '655 application is hereby disclaimed. Any patent granted on the above-captioned application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to the U.S. Patent Nos. 6,479,035 and 6,630,129, this agreement

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Amendment dated: December 27, 2006  
Reply to OA of: October 7, 2004

to run with any patent on the above-captioned application to be binding upon the grantee, its successors or assigns.

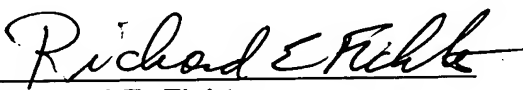
However, no rights available under the provisions of 35 U.S.C. §§155 and 156 are hereby waived.

No terminal part is disclaimed of any patent granted on the above-captioned application prior to the expiration date of the full statutory term of the U.S. Patent Nos. 6,479,035 and 6,630,129 and any patent issuing on the '655 application in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term, except for the separation of legal title stated above.

The Terminal Disclaimer fee of \$130.00 is submitted herewith. Please charge any additional fees or credit any overpayments in connection with this paper to Deposit Account No. 02-0200. A duplicate copy of this paper is enclosed.

I, Richard E. Fichter, hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine, or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the above-captioned patent.

Respectfully submitted,  
BACON & THOMAS, PLLC

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REF:refTerminal Disclaimer.wpd  
December 27, 2006

## ASSIGNMENT

**WHEREAS SMITHKLINE BEECHAM CORPORATION**, a company incorporated in the United States of America whose registered address is One Franklin Plaza, P O Box 7929, Philadelphia, PA 19101, United States of America, owns an invention entitled "Pharmaceutical Formulation of Fluticasone" (hereinafter called "the invention") for which an application for Letters Patent in the United Kingdom was first made on 11 September 1999 having application No. 9921396.9, and further applications were made on 13 June 2000 having application No. 0014451.9 and 28 July 2000 having application No. 0018654.4 (hereinafter collectively called "the priority applications"); and whereas applications for Letters Patent in the United States of America (hereinafter collectively called "the PG3711 US applications and patents" and listed at the end of this document) were subsequently filed claiming priority from the priority applications, and

**WHEREAS GLAXO GROUP LIMITED**, a company incorporated in England and Wales whose registered address is Glaxo Wellcome House, Berkeley Avenue, Greenford, Middlesex, UB6 0NN, England, is desirous of acquiring from **SMITHKLINE BEECHAM CORPORATION** the whole right, title and interest in and to the invention, the priority applications and the PG3711 US applications and patents in and throughout all territories of the United States of America;

**NOW, THEREFORE**, to all whom it may concern be it known that **SMITHKLINE BEECHAM CORPORATION** hereby assigns and transfers to **GLAXO GROUP LIMITED** its whole right, title and interest in and to the invention, the priority applications and the PG3711 US applications and patents (including any priority rights under the International Convention) in and throughout all territories of the United States of America

**IN WITNESS** whereof and with effect from **06 November 2006** **Helen QUILLIN** as Attorney of each of **GLAXO GROUP LIMITED AND**

**SMITHKLINE BEECHAM CORPORATION** by virtue of Powers of Attorney granted by **GLAXO GROUP LIMITED AND SMITHKLINE BEECHAM CORPORATION** respectively has hereunto set her respective hand.

**SIGNED** by the said **Helen QUILLIN** as the Attorney of each of **GLAXO GROUP LIMITED AND SMITHKLINE BEECHAM CORPORATION**:

*Helen Quillin*

Date: .....6/11/06.....

**The PG3711 Applications and Patents**

**US 6,479,035**

**US 6,630,129**

**US 10/630,655**

**US 10/774,393**